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5                   **UNITED STATES DISTRICT COURT**  
6                   **DISTRICT OF NEVADA**

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8 UNITED STATES OF AMERICA,  
9                   Plaintiff,  
10                 v.  
11 KOHATH CARROLL,  
12                 Defendant.

13                   Case No. 2:03-CR-00577-KJD-RJJ

14                   **ORDER**

15                  Before the Court are Defendant's Motions for Retroactive Application of Sentencing  
16 Guidelines to Crack Cocaine Offense 18 U.S.C. § 3582 (## 128 and 135). Defendant's Federal  
17 Public Defender, Shari L. Kaufman, has advised the Court that no further action is appropriate in this  
18 matter, as Mr. Carroll is ineligible for retroactive Sentencing Guideline resentencing relief due to the  
19 Sentencing Guidelines' career offender provisions (#140). Accordingly, **IT IS HEREBY**  
20 **ORDERED** that Defendant's Motions for Retroactive Application of Sentencing Guidelines to  
21 Crack Cocaine Offenses (##128 and 135) are **DENIED**. **IT IS FURTHER ORDERED** that  
22 Defendant's Motion Requesting Status of Pending Case (#137) is **DENIED** as moot.

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24                  DATED this 23rd day of August 2013.

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Kent J. Dawson  
United States District Judge